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| 8 | Attorneys for Complainant |
| 9 | BEFORE THE BOARD OF REGISTERED NURSING |
| 10 | DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA |
| 11 | STATE OF CALIFORNIA |
| 12 | |
| 13 | In the Matter of the Accusation Against: Case No. 2008-133 |
| 14 | SHILO DUNN, aka SHILO LUNSFORD ACCUSATION |
| 15 | 851 Griffen Avenue Canon City, Colorado 81212 |
| 16 | Registered Nurse License No. RN 587266 |
| 17 | Respondent. |
| 18 | |
| 19 | Ruth Ann Terry, M.P.H, R.N ("Complainant") alleges: |
| 20 | <u>PARTIES</u> |
| 21 | 1. Complainant brings this Accusation solely in her official capacity as the |
| 22 | Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer |
| 23 | Affairs. |
| 24 | License History |
| 25 | 2. On or about September 12, 2001, the Board issued Registered Nurse |
| 26 | License Number RN 587266 ("license") to Shilo Dunn, also known as Shilo Lunsford |
| 27 | ("Respondent"). The license will expire on September 30, 2007, unless renewed. |
| 28 | <i>///</i> |

STATUTORY PROVISIONS

- 3. Section 2750 of the Business and Professions ("Code") provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.
- 4. Code section 2764, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.
- 5. Code section 118, subdivision (b), provides that the suspension, expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.
 - 6. Code section 2761 states, in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

- (a) Unprofessional conduct, which includes, but is not limited to, the following:
- (4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action.

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licentiate found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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| i 1 | <u>CAUSE FOR DISCIPLINE</u> |
|--------|--|
| 2 | (Out-of-State Discipline) |
| 3 | 8. Respondent is subject to disciplinary action under Code section 2761, |
| 4 | subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent was disciplined |
| 5 | by the State of Florida, Board of Nursing. Pursuant to the Florida Board's Final Order in the case |
| 6 | entitled, Department of Health, vs. Shilo Lundsford, Case No. 2006-08985, Respondent's |
| 7 | voluntary relinquishment of her Registered Nurse License No. 9188149 was accepted by the |
| 8 | Florida Board effective May 2, 2007, A copy of the Florida Board's Final Order is attached as |
| 9 | Exhibit A, and is incorporated herein. |
| 10 | <u>PRAYER</u> |
| 11 | WHEREFORE, Complainant requests that a hearing be held on the matters herein |
| 12 | alleged, and that following the hearing, the Board of Registered Nursing issue a decision: |
| 13 | Revoking or suspending Registered Nurse License Number RN 587266 |
| 14 | issued to Shilo Dunn, also known as Shilo Lunsford; |
| 15 | 2. Ordering Shilo Dunn, also known as Shilo Lunsford to pay the Board the |
| 16 | reasonable costs of the investigation and enforcement of this case pursuant to Code section |
| 17 | 125.3; and, |
| 18 | 3. Taking such other and further action as deemed necessary and proper. |
| 19 | |
| 20 | DATED: 10/19/07 |
| 21 | |
| 22 | DOD HLU. E. |
| 23 | RUTH ANN TERRY, M.P.H, R.N Executive Officer |
| 24 | Board of Registered Nursing |
| 25 | Department of Consumer Affairs State of California |
| 26 | Complainant |

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